



House of The Federation

SENATE OF PAKISTAN

REPORT OF THE STANDING COMMITTEE ON STATES AND FRONTIER REGIONS (SAFRON)

**For the Period from
20-05-2015 to 27-07-2016**

Presented by

**Senator Hilal-ur-Rehman
Chairman of the Committee**

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PREFACE

The Federally Administered Tribal Areas (FATA) are located along Pakistan's north-western Himalayan zone and south-western Sulaiman Mountains and runs as a narrow tract along the river Indus with the parallel lines almost north to south. It consists of seven semi-autonomous agencies or administrative units – Khyber, Mohmand, Bajaur, Kurram, Orakzai, North Waziristan and South Waziristan. Additionally, the FATA includes 'frontier regions' that adjoin the districts of Peshawar, Kohat, Bannu, Lakki Marwat, Tank and Dera Ismail Khan. FATA is spread over an area of 27224 sq kilometers and its population is around 4.8 million people belonging to different Pukhtoon or Pushtun tribes. The 1400 miles (2500 KM) long Durand Line, which was drawn in 1893 by the British colonial rulers of India, geographically divides the Pushtun tribes in the region between Afghanistan and the FATA of Pakistan. According to the Constitution of Pakistan, the President of Pakistan is the Chief Executive for FATA and the Governor KPK exercises executive authority in FATA, as an agent to the President. It is outside the jurisdiction of the Provincial Chief Minister of Khyber Pakhtunkhwa. The overall administrative control of FATA at the Federal level is with the Ministry of SAFRON. The FATA Secretariat, which was established in 2006, is responsible for planning, implementing and monitoring development activities in the tribal areas. The administrative head of the Secretariat is the Additional Chief Secretary (ACS), who reports to the Governor through the Chief Secretary, Khyber Pakhtunkhwa.

I was elected as Chairman of the Senate Standing Committee on States and Frontier Regions on 20-05-2015. Since then a number of meetings of the Committee have been held, where various important agenda items/issues have been discussed and recommendations were made.

As a Chairman of the Standing Committee, I am pleased to present the report of the Committee for the period from 20-05-2015 to 27-07-2016.

I would like to express my gratitude to all the honourable members of the Standing Committee for their contribution in the working of the Committee and playing an effective role in resolving the problems / issues of the people of FATA.

I would also like to appreciate the contribution of the Secretary of the Standing Committee, Director Staff, and Interns deputed with the Committee for not only arranging and coordinating the Committee meetings amicably and also in the preparation/compilation of this report.



(SENATOR HILAL-UR-REHMAN)
CHAIRMAN OF THE COMMITTEE



EXECUTIVE SUMMARY

The first meeting of the Committee was held on 20-05-2015, where Senator Hilal-ur-Rehman was elected as Chairman of the Committee unanimously. Under his Chairmanship, the Standing Committee has held meetings on 17-06-2015, 14-07-2015, 04-08-2015, 09-09-2015, 16-10-2015, 03-12-2015, 02-02-2016, 05-04-2016, 19-04-2016, 11-05-2016, 19-05-2016 and 17-06-2016. In these meetings various issues concerning the people of FATA were discussed and suitable recommendations were made to the M/O States and Frontier Regions (SAFRON) and the FATA Secretariat. Issues like provision of extra funds for the repair of damaged Schools, hospitals and houses, completion of development schemes in Tribal Areas, admission of students holding genuine domiciles of the Tribal Areas, checking of ghost schools, issues of excess payment of pay to the project employees, directions for compulsory duties by the Doctors at the districts of their domiciles, establishment of regulatory frame work for public and private medical services, examination of educational rationalization policy of FATA Secretariat, cancellation of illegal recruitment of Levies Constables, payment of financial assistance and monthly food ration to the people of North Waziristan Agency, issuance of SRO by the FBR to allow TESCO to supply electricity to its consumers on zero rated tax, irregularity in recruitment process of Federal levies in district Musakhel were discussed in the meetings and recommendation were made to resolve these issues. The issues raised in the different meetings were respondent by the representatives of M/O SAFRON and the FATA Secretariat and the recommendations made by the Committee were followed up in the preceding meetings in order to keep an eye on the implementation status of the recommendations. Key recommendations made by the Committee are placed at the next page.

2. The present report was adopted by the Standing Committee on States and Frontier Regions in its meeting held on 6th September, 2016.



KEY RECOMMENDATIONS

1. There should be separate Development Budget for FATA in the Annual Budget Grant of the Ministry of States and Frontier Regions. Presently there is only one collection grant for FATA in the annual budget.
2. Amendment may be made in the Rules of Business of the Federal Government to such extent that M/O States and Frontier Regions can issue directions to the FATA Secretariat.
3. Efforts should be made both by the Government and public representatives to develop Bill payment (Electricity) culture and Electricity Meters should be installed in the Tribal Areas.
4. The practice of issuing illegal Tax Permit on purchase of food items for domestic purpose should be stopped.
5. Extra funds should be allocated for the repair of damaged Schools and Hospitals and also for building new ones.
6. Development schemes in the Tribal Areas, which are being opened after the Army operation, should be implemented through the recommendations of local people and their representatives.
7. It should be ensured that savings of funds from any sector/scheme should be spent in the same Agency and not outside the said Agency.
8. FATA should not be ignored in the development schemes/ projects being run by Refugee Affected and Hosting Areas (RAHA). They should include development schemes for FATA in their next year work plan and allocate special funds for the development of refugees affected areas of FATA.
9. Those students of the Tribal Areas, who have educational Certificates/ Degrees of the Schools/Colleges (specially SSC degree) and having domicile of the Tribal Areas and have obtained upto 33% marks should be given priority in any recruitment process for FATA Sectt., Political Administration, FATA Projects and TESCO.
10. Levies Regulation 2013 should be implemented in letter and spirit and levies having the status of Civil Servants should be dealt with according to the Levies Regulation 2013.
11. Shuhada-i-FATA should be given the same financial package which is being given to the Shuhada of Khyber Pakhtunkhwa Province.
12. The Political Agent, Mohmand Agency and Chief Executive (TESCO), Peshawar should ensure that the Furnace Plants of Mohmand Agency were established after fulfilling the required parameters and codal formalities. They should also ensure that these Furnace Plants are not causing any kind of pollution, including water and environmental pollution.
13. The Committee unanimously recommended that all SNE proposals for newly established schools forwarded for creation of 2700 posts of Teachers to the Finance Department, FATA Secretariat may be approved at the earliest.



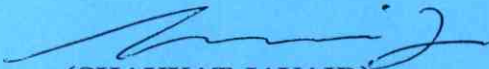
14. The Committee unanimously recommended that educational degrees of all the employees of the FATA Secretariat should be got verified.
15. Audit observations/paras pending for the years 2012-13, 2013-14, & 2014-15, should be settled at the earliest by the FATA Secretariat.
16. FATA Secretariat should scrutinize the issue of payment of excess pay and allowances to the Project employees of various projects in FATA and fix responsibility, in this regard.
17. The Committee Members observed that the facilities/ services of the Hospitals should be improved first instead of making investment on Mobile Health Units.
18. The provisions of the Act passed by the Provincial Assembly of Khyber Pakhtunkhwa regarding compulsory duty by the Doctors at the districts of their domicile for a period of 02 years should be implemented in letter and spirit. Policy may be made so that FATA domicile holder Specialist Doctors should serve in FATA areas for 2-3 years.
19. The FATA Secretariat should look into the possibility of making an amendment in the Presidential Regulation Order, 1972, so that FATA Secretariat could fill the technical posts of FATA.
20. A proper Regulatory Frame Work for the establishment of Public and Private Medical Services in FATA may be made.
21. The Committee expressed its dissatisfaction over the inquiry made by the FATA Secretariat regarding cancellation of recruitment of Levies Constables and directed Additional Chief Secretary to conduct a proper inquiry in the matter and responsibility should be fixed for cancellation of the recruitment process.
22. FDMA, which is being run as a project from ADP Funds of FATA, should be regularized as full-fledged Authority.
23. Action may be taken against illegal holders of FATA domiciles and those Government officials who found involved in the issuance of illegal FATA domiciles should be taken to task.
24. Compensation of damaged houses/property in the catastrophic/ operation hit areas of FATA pending for the last three years may be made without further delay.
25. The Committee recommended to stop the recruitment of 157 Levies in Political Administration Khyber Agency until and unless inquiry regarding previous recruitments is not finalized.
26. The Committee recommended that the Additional PA (Judicial) should not be under the supervision of Political Agent.
27. The Committee recommended that it should be informed to the committee how many corruption cases have been sent to NAB by FATA Secretariat.
28. The Chairman Committee pointed out about a corruption case of 2013 of Mr. Adil Saddique, Ex-Political Agent and inquired about the action taken in this regard.
29. The Committee unanimously recommended that remaining post along with 5000 levies posts should be approved by the finance division at the earliest as these posts have been pending from the last 3 - 4 years.

30. The committee unanimously recommended an enquiry in the case of M/S Bajaur Ancient Variety Pvt Ltd. In this regard some documents were handedover to the secretary SAFRON, who gave assurance to the committee that Ministry will make inquiry in this regard and a comprehensive report shall be submitted to the committee.
31. The committee recommended that draft agreement regarding mining exploration prepared by the FDA should be shared with the committee before finalization.
32. The committee recommended that it would decide about lifting of ban on the working activities of M/S Bajaur Ancient Variety Pvt Ltd after the provision of original record of M/S Bajaur Ancient Variety and Inquiry report of Secretary SAFRON.
33. The Additional Chief Secretary and Senior Officers of the FATA Secretariat should give respect and priority to the business of the Parliament and its Committees. They should attend the meetings of the Senate Standing Committee on States and Frontier Regions and provide the information, as and when required.
34. The FATA Secretariat should improve its working, attitude and responsibility in addressing the needs/basic rights of the people of FATA.
35. Upgradation of Schools should be made with rationalization/cogent reasons and those Schools which have more students should be given priority.
36. The issue of cancellation of recruitment of 157 Levies Posts should be referred to NAB.
37. Audit report regarding budget spent on development schemes for the last 07 years in all the Agencies may be provided to the Committee.
38. Detail of premium given by the C&W Department of FATA since the issuance of CSR 2012 may be provided to the Committee.
39. SRO may be issued to amend the relevant law to allow TESCO to supply electricity to its consumers on zero rated tax.
40. FBR may consider to withdraw all assessment orders issued by RTO Peshawar to the tune of Rs.30 Billion.
41. Funds for each financial year may be released by the Finance Division as per the annual financial sharing done by Planning Division and the Finance Division. Separate request for each quarter release may be dispensed with so that working of the FATA Secretariat is not disturbed.
42. In the next Board of Directors of FDA all the members should be from FATA regions, as in each and every industry people of FATA are performing their role.
43. Recommendations of Parliamentarians regarding up-gradation of Schools of their areas should be implemented, as they belong to the concerned area and represent the people of that area.
44. Unapproved schemes of the previous years should be approved on urgent basis.



45. To consult Former Governor KPK to get his point of view regarding the decision taken by Chief Secretary KPK for reaching at a good conclusion.
46. Due to absence of the Representative of Governor, Khyber Pakhtunkhwa, and in order to know the view point of the Governor, Khyber Pakhtunkhwa, to reach at an appropriate decision, the Committee decided to call the Secretary to the Governor, Khyber Pakhtunkhwa, in its next meeting and deferred further consideration / conclusion on the agenda item.
47. The matter is required to be disposed of within 15 days from the date of reference to the Committee i.e. 10-05-2016. Honourable Chairman may be requested to kindly extend the period of submission of report by 30 working days with effect from 26th May, 2016.
48. On the issue of "Transfer of Political Agents in various agencies of FATA" referred by the House to the Committee, it was unanimously recommended by the Committee that the orders dated 9-02-2016 should be withdrawn forthwith, without prejudice to the tenure of the affected officers and Chief Secretary, Khyber Pakhtunkhwa and the then Secretary, Establishment Department, Govt. of Khyber Pakhtunkhwa, involved in the processing, approval and implementation of the said case should be censured.
49. Due to special circumstances of FATA, there should be no tax on daily commodities/ration items and these should be subsidised.
50. The price of wheat on Government quota is on higher side as compared to the price in private market. The Government should give subsidy in this regard, so that Mill Owners can purchase the wheat from Government and provide flour to the general public on cheaper rates.
51. There should be no double taxation on domestic trade i.e. one agency takes tax on outgoing items and the other agencies also takes tax on entry of these items.
52. There should be no un-registered / illegal filling station in FATA.
53. The contractors / mine owners should donate some percentage from their profits for the development of local areas.
54. Permit system should be abolished and its expenditure should be included in the annual budget.
55. As one time measure, the Army should impart training to the new recruits of Levies Force on complementary basis / free of cost.
56. Enlistment of vehicles should be carried out in all areas of FATA and proper procedure should be chalked out in this regard so that only the genuine vehicles are enlisted.
57. Plantation should be made in those areas by the people who had cut the trees and money / fine may be received from them. Proper legislation in this regard may be made.
58. Compensation of damaged/destroyed houses at the rate of Rs.4 Lacs should be reviewed/enhanced because there are families who have 6-8 sons and they need more number of rooms.

59. There should be representation of Parliamentarians in the Agency Steering Committee of Citizens Losses Compensation Programme (CLCP) of RRU.



(SHAUKAT JAVAID)
Joint Secretary/Secretary Committee



(SENATOR HILAL-UR-REHMAN)
Chairman Standing Committee

